



AGRICULTURAL ADVISORY COMMITTEE

September 6, 2013

Francoise Carrier, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland
20910

Dear Madam Chair:

RE: Clarksburg Limited Master Plan Amendment-Ten Mile
Creek Watershed

On behalf of the Agricultural Advisory Committee-AAC, please accept this letter regarding the Clarksburg Limited Master Plan Amendment for Ten Mile Creek Watershed. We want to thank the Planning Board for taking the time to understand our concerns and we respectfully request this letter be included as part of the public record for this public hearing in your submission to the County Council.

The AAC met on August 20, 2013 and we discussed the staff recommendations on the Clarksburg Master Plan within the Ten Mile Creek Watershed. There are several policy issues this Limited Amendment will have on the agricultural community that need to be taken into consideration by the Planning Board and the County Council.

How the 1994 Clarksburg Master Plan helped to fulfill the commitment to farmers:

From 1992 to 1994 the agricultural community worked extensively on recommendations for the Clarksburg Master Plan because this Planning Area represented the best opportunity to address the commitment made to farmers dating back to 1980 when the Functional Master Plan for the Preservation of Agriculture and Rural Open Space-AROS was adopted. Over and over again ever since the 1980 AROS Master Plan was adopted the agricultural community has been promised by both the Planning Board and the County Council that the Clarksburg Master Plan would provide the Transferable Development Rights-TDR receiving capacity needed to balance TDR supply and demand. Nineteen years after the County Council approved the Clarksburg Master Plan and the sectional zoning map amendments the commitment and question of TDR receiving capacity in Clarksburg has come back for reconsideration. The agricultural community is frustrated by this environment and today we are reminding you of the commitment made to our farmers in 1980.

The AAC understands the environmental importance of the Ten Mile Creek watershed and we encourage development that would not threaten this environmental resource.

Recommendations to find alternative sites for using TDRs:

The 1994 Clarksburg Master Plan recommended total capacity to accommodate 2,184 TDRs and this Limited amendment would reduce this total TDR capacity associated with the Pulte and King properties that are currently zoned RE1/TDR. This action will adversely affect the imbalance of TDR supply and demand and create the need to find alternative sites to accommodate TDRs. The Limited amendment recommends the development footprint and densities of RE1/TDR zone be reduced on the Pulte and King properties. The amendment recommends retaining TDRs as an important policy to support agriculture by proposing a change from the RE1/TDR zone to RNC/TDR. This recommendation for the RNC/TDR zone is similar to recommendations in the western portion of the Damascus Master Plan.

Because of the continuing imbalance of TDR supply and demand over many years our Committee respectfully requests the Planning Board to remind the County Council during the work sessions on the Master Plan amendment of the new proposed uses for TDRs that you recommended as part of the Zoning Ordinance Revision. The AAC is encouraged by the recommendation from the Planning Board to propose the new use of TDRs for mixed used zones where 1 TDR can equate to 3,500 square feet of mixed use space.

Thank you for considering the views of the Montgomery County Agricultural Advisory Committee-AAC. On behalf of the AAC, we want to thank the Planning Board and the Staff for all of the work on this amendment to the Clarksburg Master Plan and your efforts to propose new uses for TDRs as part of the Zoning Ordinance Revision.

Sincerely,

A handwritten signature in cursive script that reads "David Weitzer". The signature is written in dark ink and is positioned above a solid horizontal line.

David Weitzer, Chairman

Cc: Members of the AAC
Members of the APAB



AGRICULTURAL PRESERVATION ADVISORY BOARD

September 9, 2013

Francoise Carrier, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland
20910

Re: Clarksburg Limited Master Plan Amendment-Ten Mile Creek Watershed

Dear Madam Chair:

On behalf of the Agricultural Preservation Advisory Board (APAB), please accept this correspondence as APAB written testimony regarding the Clarksburg Limited Master Plan Amendment-Ten Mile Creek Watershed as part of the September 10, 2013 public hearing. We request our testimony be entered into the public record regarding this Master Plan Amendment.

The APAB has discussed the proposed Clarksburg Limited Master Plan Amendment for the Ten Mile Creek Watershed and are concerned about the impact the Limited Master Plan Amendment will have on farmers and rural landowners in the Rural Density Transfer Zone.

During the Clarksburg Master Planning process, the agricultural community actively engaged the Planning Board and County Council by providing recommendations regarding the use of Transferrable Development Rights (TDRs) for the Clarksburg Master Plan. The agricultural community believed this Planning Area represented the best opportunity to address the commitment made to farmers dating back to 1980 when the Functional Master Plan for the Preservation of Agriculture and Rural Open Space was adopted.

Since the adoption of this Master Plan, the agricultural community was assured that that the Clarksburg Master Plan would provide the Transferable Development Rights (TDRs) receiving capacity needed to balance TDR supply and demand equation.

Now after nineteen years since the adoption of the Clarksburg Master Plan and the sectional zoning map amendments, it appears this commitment and the balance between TDR sending/receiving capacities are being called into question once again with the Clarksburg Limited Master Plan Amendment-Ten Mile Creek Watershed.

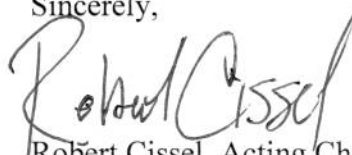
This issue is of great importance to the agricultural community and their frustration regarding the proposed master plan amendment has been brought to our attention. We understand that as time goes on priorities change but that doesn't mean we should abandon commitments that were made, especially those involving land use. The agricultural community is frustrated by this environment and we are reaching out to remind you of the commitment made to our farmers thirty-three (33) years ago.

TDRs have played a vital role in the protection of agricultural land in the RDT zone. These protected lands provide a host of positive environmental benefits. The development community, through the purchase of TDRs, has helped to preserve over 52,000 acres of lands of our 70,000 acre accomplished preservation goal. It is for these reasons that we need to honor the commitments made to the agricultural community, and to the development community as well. The APAB is concerned that the Clarksburg Limited Master Plan Amendment for the Ten Mile Creek Watershed will result in a loss of TDR receiving capacity. We fear that as TDR receiving area capacity becomes further diminished, so will the interest the development community will play in the preservation of agricultural lands through the purchase of TDRs.

The APAB understands the emphasis placed on the environmental importance of the Ten Mile Creek watershed. We encourage a balanced but equitable approach to development that would not threaten this important environmental resource. We must find a balanced approach to address the continuing imbalance of TDR supply and demand. The APAB respectfully requests the Planning Board to remind the County Council during the work sessions on this Master Plan amendment of the new proposed uses for TDRs that you recommended as part of the Zoning Ordinance Revision. Finding new uses for TDRs such as those for mixed use zones (where 1 TDR can equate to 3,500 square feet of mixed use space) is a step in the right direction and demonstrates the kind of critical thinking we need to solve this TDR imbalance situation.

Thank you for considering the views of the Montgomery County Agricultural Preservation Advisory Board for the Clarksburg Limited Master Plan Amendment -Ten Mile Creek Watershed.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cissel". The signature is stylized with a large, looped "R" and a cursive "Cissel".

Robert Cissel, Acting Chairman
Agricultural Preservation
Advisory Board

cc: Agricultural Advisory Committee
Jeremy V. Criss, DED Ag Services
Callum Murray, MNCPPC